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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91158625
Party	Defendant Dassault Systemes S. A. Dassault Systemes S. A. 9, Quai Marcel Dassault FRX Suresnes, 92150
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Submission	Motion to Amend Application
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Signature	/HSM/
Date	03/17/2005
Attachments	Stip-Amendment 3-17-05.pdf (5 pages)

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(name of person signing certificate)
[Signature]
(signature)
3-17-05
(date of signature)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

AUTODESK, INC.,)	
)	Opposition No. 91/158625
Opposer,)	
v.)	Serial No. 78/069,378
)	
DASSAULT SYSTEMES S.A.,)	
)	
Applicant.)	

**STIPULATED AMENDMENT TO SERIAL NO. 78/069,378 AND REQUEST TO
SUSPEND PROCEEDINGS**

On November 10, 2004, Applicant Dassault Systemes S.A. ("Applicant") filed a consented motion to amend Application Serial No. 78/069,378 in accordance with an agreement between the parties in this case. The proposed amendment changed only the description of the mark and did not change the mark itself or the drawing page. Accordingly, because the drawing page and underlying trademark remain unchanged, it is the opinion of the parties that the proposed consented amendment does not materially alter the mark covered by the application.

On February 5, 2005, the Board rejected the proposed amendment on the grounds that it would constitute an impermissible material alteration of the mark. The Board noted in Footnote No. 1 that "applicant did not submit a substitute drawing page in support of this


amendment.”

In response, and in accordance with an agreement between the parties, Applicant respectfully re-files the proposed amendment with a copy of the drawing page. The drawing page and underlying trademark remain unchanged from the application as originally filed. Only the “Words Only” description of the mark is proposed for amendment, from "3DS" to "DS & Design." Applicant further amends the description of the mark to read as follows: “The mark consists of a stylized version of ‘DS.’” Please enter these amendments.

The parties also respectfully request that these proceedings be suspended pending entry of the proposed amendment.

Respectfully submitted,

Date: March 17, 2005

By: 
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Dated: 16 March 2005

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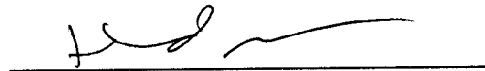
Counsel for Opposer
Autodesk, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing STIPULATED AMENDMENT TO SERIAL NO. 78/069,378 AND REQUEST TO SUSPEND PROCEEDINGS was served on counsel for Opposer by first class mail, postage prepaid, addressed as follows:

Michael J. Hughes
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this 17th day of March, 2005.



A handwritten signature in black ink, appearing to read 'Michael J. Hughes', is written over a horizontal line.

APPLICANT:

Dassault Systemes S. A.

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GOODS:

computer software, namely 2d and 3d software for digital product conception, design, visualization, modeling and simulation of new products, manufacturing processes and product lifestyle management in respect of all types of consumer and commercial products; cad/cam/cae software for use in digital product conception, design, visualization, modeling and simulation of new products, manufacturing processes; (cont'd on following page)



GOODS/SERVICES, CONT'D

manufacturing and production management and monitoring software, project management software, modeling software, software for processing, managing, administering, modeling, analyzing, planning, controlling, monitoring or sharing of resources, projects, or technical data, industrial data, business data, financial data, management data, and corporate processes; interoperability software, namely, computer software for managing knowledge, information, and expertise pertaining to product design and manufacturing; groupware and collaborative task enhancement software to enable communications among product designers, manufacturing managers, and shop floor supervisors; computer software development tools, electronic databases in the field of technical data, industrial data, business data, financial data, business data, financial data, management data, and corporate processes recorded on computer media; in int. class 9; business organization consultation; business information in the fields of software, middleware, communication technologies and related activities; arranging and conducting business conferences; charitable fundraising; organization of trade fairs for commercial or advertising purposes; business organization consultancy; in int. class 35; telecommunications services, namely, local and long distance transmission of voice, data and graphics by means of telephone, telegraphic, cable and satellite transmissions; providing telecommunications to a global computer/communications network; in int. class 38; organization of educational exhibitions in the field of digital enterprise solutions featuring computer aided design, engineering, manufacturing, and product data management; education services, namely, conducting seminars in the field of digital enterprise solutions featuring computer aided design, engineering, manufacturing, and product data management and distributing course materials in connection therewith; in int. class 41; and computer programming for others; computer software design for others; maintenance of computer software; computer software and systems consultation; computer services by all communication means, including on-line or via Internet, namely, computer services related to software, computer system design, edition, installation, adaptation and updating of computer software, creating and maintaining of web sites, hosting computer sites, design, realization and updating of databases; in int. class 42.
